

Remarks:

Applicant has read and considered the Office Action dated May 28, 2009 and the references cited therein. Claim 3 has been amended. Claims 4-9 have been added. Claims 1 and 2 were previously withdrawn. Claims 3-9 are currently pending. Reconsideration is hereby requested.

In the Office Action, claim 3 was rejected under 35 U.S.C. § 102(e) as being anticipated by Bompard et al. Claim 3 has now been amended and clarifies the method for producing a multi-axial complex of multifilament threads formed of continuous filaments. Claim 3 now recites guiding multifilament threads oriented in a production direction forming first layers over press rollers to spread apart the multifilament threads of the first layers and eliminate torsion from the multifilament threads of the first layers. Claim 3 further recites placing the multifilament threads on top of one another in different orientations and laying the multifilament threads of the first layers between other multifilament layers layered in different orientations. Finally, claim 3 recites feeding the multifilament threads to sewing, wherein the multifilament threads of the first layers are fed to sewing without torsion. Applicant asserts that this is neither shown nor suggested by Bompard.

Bompard forms strips with unidirectional filaments bonded together in a transverse direction. The sheets 30 are then deposited on a conveyor at different angles. In contrast to the present invention, the strips 20 of Bompard are deposited and bonded together in a transverse direction with the sheets are secured by applying a chemical bonding agent through nozzles 32. Applicant asserts that the problems relating to torsion are not overcome and not addressed by Bompard. Although the Office Action contends that torsion is eliminated, Applicant has searched the Bompard reference and finds no mention of torsion or twisting anywhere in the reference. Applicant therefore asserts that there is no support that torsion is eliminated with the method of Bompard et al. Unlike Bompard, the present invention provides for the

multifilament threads of the layers in the production direction are fed individually and independently from each other and placed freely into the web between layers of different orientations. Applicant asserts that the present invention provides for an improved method and resulting structure that is neither shown nor suggested by Bompard or any other prior art or combination thereof.

Claim 3 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Gruenert et al. in view of Bompard et al. As discussed above, claim 3 has now been amended and is believed to clarify over the Bompard reference. Gruenert describes a yarn guide with stationary yarn 52 applied to a yarn layer 51. This yarn 52 is not a multifilament yarn and the problem of torsion is not addressed by Gruenert. Moreover, Bompard fails to overcome this problem. Applicants assert that the combination of Bompard and Gruenert fails to teach or suggest the method as now recited in claim 3. As discussed above with regard to Bompard, the method of the present invention as recited in claim 3 provides an advantageous method that is neither shown nor suggested by the prior art or any combination thereof. Applicant asserts that claim 3 patentably distinguishes over the combination of Gruenert and Bompard and requests that the rejection be withdrawn.

New claims 4-9 have been added and are also believed to patentably distinguish over the prior art for additional reasons. Claim 4 recites a plurality of first layers laid between the other multifilament layers layered in different orientations. As shown in Figure 1, the method of the present application provides for using multiple layers with the threads oriented in a production direction. As further clarified in claim 5, the multiple layers may be separated from one another by the other multifilament layers layered in different orientations. The method provides for layering the production layers with multifilament threads oriented in the production direction and alternating with the multifilament layers layered in different orientations. Applicant asserts that this is neither shown nor suggested by the prior art and that claims 4 and 5 patentably distinguish over the prior art.

New claims 6 and 7 recite that the top layer comprises one of the other multifilament layers layered in different orientations. Claim 7 further clarifies that a bottom layer comprises one of the other multifilament layers layered in different orientations. The method of the present invention provides flexibility as the layers of multifilament threads oriented in a production direction do not have to be the top and bottom layers. Applicant asserts that such a configuration provides advantages over the prior art and a more flexible production method resulting in a superior product. Finally, claims 8 and 9 recite that the top and bottom layers are layered in a different orientation. Combined with the separation and layering as recited in claims 4 and 5, Applicant asserts that such a method is neither shown nor suggested and provides advantages over the prior art. Applicant asserts that claims 4-9 patentably distinguish over the prior art and are in condition for allowance.

A speedy and favorable action in the form of a Notice of Allowance is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: _____

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By: _____

Gregory A. Sebold
Gregory A. Sebold
Reg. No. 33,280
GAS/km